

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Nancy Barber,)	C/A No.: 3:11-cv-2328-JFA
)	
Plaintiff,)	
)	
vs.)	ORDER ON MOTION TO QUASH,
)	MOTION FOR PROTECTIVE ORDER,
American Family Home Insurance)	AND MOTION TO COMPEL
Company,)	
)	
Defendant.)	
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American Family Home Insurance)	
Company,)	
)	
Counter Claimant,)	
)	
vs.)	
)	
Kelly D. Barber and Nancy Barber,)	
)	
Counter Defendants.))	
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This matter comes before the court on Counter Defendant Kelly D. Barber’s Motion to Quash, or in the Alternative, for a Protective Order. (ECF No. 88). After reviewing the submissions of both Kelly D. Barber and Nancy Barber on this motion, the court hereby denies the motion to quash and grants the motion for protective order. The court finds good cause for the protective order, as Plaintiff’s subpoenas are overbroad and seek irrelevant information beyond the proper scope of discovery. Thus, the court limits the scope of discovery as follows: (1) with regard to the subpoena directed to the South Carolina Department of Corrections (“SCDC”), limit the production of documents to

those SCDC inmate records dated on or after January 22, 1998, which indicate the period of Mr. Barber's incarceration or detention, if any; (2) with regard to the subpoena directed to the Lexington County Probation and Parole ("LCPP"), limit the production of documents to those LCPP records dated on or after January 22, 1998, which relate to Mr. Barber's residency; and (3) with regard to the subpoena directed to the Social Security Administration ("SSA"), limit the production of documents to those SSA records dated on or after January 22, 1998, which relate to Mr. Barber's residency.

The court finds Mrs. Barber's Motion to Dismiss Counter-Defendant's Motion to Quash (ECF No. 89) to be moot (as motions to dismiss motions are not procedurally proper). To the extent that Mrs. Barber asks this court for an order compelling "the compliance of all parties to which the subpoenas are addressed as well as compelling Counter-Defendant to execute any documentation required by the third party to ensure compliance," (ECF No. 89, p. 1), this court denies that motion.

IT IS SO ORDERED.

November 5, 2012
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge